

IN THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the instant application. The present status of each claim is indicated in parentheses following the claim number. An instruction line precedes each claim that is amended, cancelled, or added by the instant paper.

Holpern/B
Smith
Piselli
1-41 (CANCELLED)

Please amend claim 42 as follows:

42. (CURRENTLY AMENDED) TheAn isolated or purified
nucleic acid of claim 43, wherein said
nucleotide encoding a polypeptide having the amino acid
sequence is of SEQ ID NO:7-8, said amino acid sequence
comprising at least one immunogenic epitope.

an

A

Please amend claim 43 as follows:

43. (CURRENTLY AMENDED) Athe nucleic acid comprising a
nucleotide sequence encoding a polypeptide comprising
the amino of claim 42, wherein said nucleic acid
sequence comprises nucleotides 10-1332 of SEQ ID NO:8,

NA

Support for support

~~said amino acid sequence having at least one immunogenic epitope.~~ 7.

Please amend claim 44 as follows:

44. (CURRENTLY AMENDED) The nucleic acid of ~~claim 43, claim 42,~~ wherein said nucleic acid is an isolated nucleic acid.

Please amend claim 45 as follows:

45. (CURRENTLY AMENDED) The nucleic acid of ~~claim 43, claim 42,~~ further comprising an expression control sequence operably linked to said nucleotide sequence.

Please amend claim 46 as follows:

46. (CURRENTLY AMENDED) The nucleic acid of ~~claim 43, claim 42,~~ wherein said expression control sequence comprises a promoter.

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Please amend claim 47 as follows:

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be end
for claim 45

47. (CURRENTLY AMENDED) The nucleic acid of claim

UAC
~~43, claim 42,~~ wherein said expression control sequence
comprises an enhancer.

Dependent claim 47

Please amend claim 48 as follows:

48. (CURRENTLY AMENDED) A method of preparing a

polypeptide comprising a carboxy-terminal portion of
the heavy chain of botulinum neurotoxin serotype B
having at least one immunogenic epitope, comprising:

*PS 24, Inventor's
and Add'l. Inventor's
Comments*
transfected a cell with a nucleic acid comprising
nucleotide sequence encoding a polypeptide
comprising the amino acid sequence of SEQ ID
NO:8, said amino acid sequence having at least
one immunogenic epitope; and

*Glabe
PSD
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culturing the transfected cell under conditions
wherein the nucleic acid is expressed,

*Transfected
Baculovirus
eggs*
wherein the cell is selected from the group consisting
of a gram negative bacteria, a yeast, and a mammalian
cell.

49. (PREVIOUSLY AMENDED) The method of claim 48, further
comprising recovering from said transfected cell at

insoluble protein fraction
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least one insoluble polypeptide comprising the amino acid sequence of SEQ ID NO:8, said amino acid sequence having at least one immunogenic epitope.

50. (PREVIOUSLY ADDED) The method of claim 48, wherein said organism is *Escherichia coli*.

51. (PREVIOUSLY ADDED) The method of claim 48, wherein said organism is *Pichia pastoris*.

52. (CANCELLED)

Please **amend** claim 53 as follows:

53. (CURRENTLY AMENDED) A method of preparing isolating an immunogenic composition comprising a polypeptide comprising the amino acid sequence of SEQ ID NO:8, said amino acid sequence having at least one immunogenic epitope, comprising:

culturing a cell transfected with an expression vector comprising a nucleic acid ~~comprising a nucleotide sequence encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:8, said amino acid sequence having at least~~

one immunogenic epitope under conditions wherein
the nucleic acid is expressed; and

~~recovering isolating~~ from said transfected cell at
~~least one insoluble~~ polypeptide comprising the
~~amino acid sequence of SEQ ID NO:8, said amino~~
~~acid sequence having at least one immunogenic~~
~~epitope,~~

*internally
incomplete*

wherein the cell is selected from the group consisting
of a gram negative bacteria, a yeast, and a mammalian
cell ~~and wherein the recovered polypeptide is~~
~~immunogenic.~~

54. (CANCELLED) *AB*

Please **amend** claim 55 as follows:

55. (CURRENTLY AMENDED) The nucleic acid of ~~claim~~
~~43, claim 42,~~ wherein the AT content is less than about
70% of the total base composition.

56. (PREVIOUSLY AMENDED) The nucleic acid of claim 55,
wherein the AT content is less than about 60% of the
total base composition.

57-81 (CANCELLED)

82. (PREVIOUSLY AMENDED) A recombinant host cell comprising the nucleic acid of claim 45.

83-84 (CANCELLED)

85. (PREVIOUSLY AMENDED) The recombinant host cell of claim 82, wherein said polypeptide is at least 0.75% (w/w) of the total cellular protein.

86. (PREVIOUSLY AMENDED) The recombinant host cell of claim 85, wherein said polypeptide is at least 20% (w/w) of the total cellular protein.